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April 14, 2004

**Via Hand Delivery**

Examiner David H. Kruse  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF HAND DELIVERY**

I hereby certify that this correspondence is being hand delivered for filing to: Examiner David H. Kruse, Group 1638, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date below:

4/15/04  
Date

Alma S. Schen  
Signature

Re: SN 09/698,789 "METHOD FOR PLANT BREEDING" – Michael Spencer, et al.  
Our Ref. DEKM:157USC1; Client Ref. 38-15 (51223);

Dear Examiner Kruse:

As requested in your facsimile of April 5, 2004, enclosed please find:

1. A Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g) with a substitute computer readable form and paper copy of the sequence listing; and
2. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/DEKM:157USC1.

Respectfully submitted,

Robert E. Hanson  
Reg. No. 42,628

REH/vv  
Enclosures: As stated

25405027.1 / 10025100



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Michael Spencer, et al.

Serial No.: 09/698,789

Filed: October 27, 2000

For: METHOD FOR PLANT BREEDING

Group Art Unit: 1638

Examiner: David H. Kruse

Atty. Dkt. No.: DEKM:157USC1

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4/15/04  
Date

Alta S. Delia  
Signature

**STATEMENT AS REQUIRED UNDER 37 C.F.R. § 1.825(a) AND (b)**  
**AND STATEMENT AS REQUIRED UNDER 37 C.F.R. § 1.821(g)**

**MAIL STOP SEQUENCE**

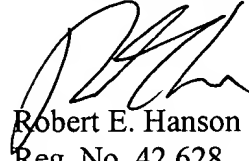
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Commissioner:

Submitted herewith is a substitute computer readable form and a substitute paper copy of the sequence listing of those sequences in the captioned patent application. The substitute computer readable form of the sequence listing is the same as the substitute paper copy of the sequence listing. The sequence information provided in the Specification is also the same as the sequence listing of the enclosed substitute computer readable and paper forms of the sequence listing.

In accordance with 37 C.F.R. § 1.821(g), it is herewith represented that no new matter is included with this submission.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Hanson', is written over the printed name.

Robert E. Hanson  
Reg. No. 42,628  
Attorney for Applicants

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Date: April 14, 2004